

REMARKS

Applicants respectfully request reconsideration of the present application in view of the amendments set forth above and the below remarks.

Claims 1-23 are pending. Claims 1 and 19-22 are amended herein and claim 23 is canceled herein without prejudice.

Claims 1-6, 8-11, and 17-23 are rejected as being obvious over Stone (U.S. Patent No. 6,421,737, hereinafter "Stone") in view of Wilson et al. (U.S. Patent No. 6,714,976, hereinafter "Wilson"). With regard to independent claims 1, 19, and 20, the Examiner recognizes that Stone fails to teach "a database comprising at least one table containing the at least one of the configuration information and the customer information." The Examiner relies on Wilson as showing this claim feature and states that "Wilson does state this feature as his monitoring system stores monitored configuration values in a data repository." (see Office Action dated December 22, 2005, page 3, paragraph 9).

As found in MPEP §2142, in order to establish a prima facie case of obviousness "...there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings." (see e.g., *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed Cir 1991)). Applicants respectfully submit that a prima facie case of obviousness has not been established.

The present invention provides a flexible, modular approach to managing resources. This is achieved by using a common interface to call routines in executable modules, which, in turn, are defined to communicate with and describe the specific devices and services that they represent. (see the Summary section of the specification at page 2, for example). With this arrangement, the invention is able to maintain an up-to-date view of managed resources without requiring software to be tied to specific types of devices or services.

The Stone reference describes a modular event monitoring service. In Stone, the user interfaces with a resource monitoring manager to make resource monitor requests and the resource monitor manager forwards the requests to monitor modules.

The Wilson reference however is directed to monitoring applications running on a distributed network by monitoring connections within the network. To this end, Wilson describes monitoring agents that monitor data passed between a client and a network. (see Abstract, for example). Thus, one of ordinary skill in the art seeking a flexible, modular approach to resource management without requiring software to be tied to specific types of resources would not be motivated to look to the Wilson reference for a solution. Stated differently, although both Stone and Wilson are related to network monitoring generally as pointed out by the Examiner, their focuses and the problems that they address differ; Stone being directed to monitoring distinct resources and Wilson being directed to monitoring applications by monitoring communications between resources.

In view of the above, it is submitted that no suggestion or motivation to combine the Stone and Wilson references exists and thus, that a prima facie case of obviousness has not been established.

Nevertheless, Applicants have amended independent claims 1, 19, and 20 in an effort to clarify that the configuration information is hardware configuration information associated with the resources. Support for this amendment is found on page 12, lines 21-22 of the specification for example.

It is submitted that neither Stone nor Wilson describes or suggests the claimed arrangement including "making calls to the common interface in each of the executable modules to cause the executable modules to return information about the corresponding resources, wherein the information includes at least one of hardware configuration information associated with the resources or customer information" or "storing the information about the corresponding resources in a database comprising at least one table containing the at least one of the hardware configuration information associated with the resources or the customer information," as set

forth in claims 1 and 19. Nor do the references describe or suggest the arrangement of claim 20 “wherein the software includes resource-specific executable modules each corresponding to a different one of the managed resources and a resource-independent device configured to use the executable modules to monitor changes in hardware configuration and attributes information associated with the corresponding managed devices and to store the hardware configuration and attributes information associated with the corresponding managed devices from the executable modules in a database comprising a table containing the hardware configuration and attributes information for the managed devices.”

As noted above, the Examiner relies on Wilson as teaching the claimed table containing at least one of configuration information or customer information. In particular, the Examiner directs Applicant’s attention to Wilson col. 14, lines 35-67 (see Office Action dated December 22, 2005, paragraph 11, page 4). However, here Wilson is describing a table of cached values “collected in monitoring a distributed application executing in the system.” Such cached values do not comprise the claimed hardware configuration information.

Thus, even if some suggestion or motivation did exist to combine the references and to do so in the manner suggested by the Examiner, the result would not be the claimed arrangement, since Wilson does not describe or suggest, at least the claimed hardware configuration information associated with the resources.

It is noted that the cited references also do not describe or suggest the “customer information” as set forth in claims 1 and 19, for example.

In view of the above, it is submitted that independent claims 1, 19, and 20 are patentable over Stone, whether taken separately or in combination with Wilson.

Claims 2-6, 8-11, 17-18, and 21 depend on claim 1 and thus include the limitations of claim 1. Claim 22 depends on claim 19 and thus includes the limitations of claim 19. Accordingly, it is submitted that claims 2-6, 8-11, and 21-22 are patentable, at least for the

reasons set forth above in connection with base claims 1 and 19. Claim 23 has been cancelled without prejudice.

Claims 7 and 12-16 are rejected as being obvious over Stone in view of Wilson and further in view of Nine et al. (U.S. Patent No. 6,560,611, hereinafter "Nine"). Claims 7 and 12-16 depend on claim 1 and thus include the limitations of claim 1. Accordingly, it is submitted that claims 7 and 12-16 are patentable, at least for the reasons discussed above in conjunction with claim 1.

Applicants have amended dependent claims 21 and 22 to specify that the at least one table is selected from a customer-resource associated table or a customer account table. It is submitted that neither of the cited references, whether taken separately or in combination, describes or suggests the arrangement of dependent claims 21 and 22.

As the claims and the entire case are believed to be in condition for allowance, an early indication thereof is respectfully requested.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

Applicant does not acquiesce to any assertion made by the Examiner that is not specifically addressed herein.

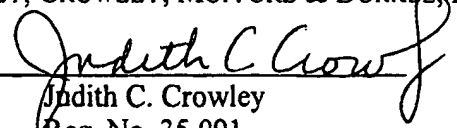
The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

Dated: 20 March 2006

DALY, CROWLEY, MOFFORD & DURKEE, LLP

By:


Judith C. Crowley
Reg. No. 35,091

Attorney for Applicant(s)

Daly, Crowley, Mofford &
Durkee, LLP

354A Turnpike Street - Suite 301A
Canton, MA 02021-2714

Tel.: (781) 401-9988, Ext. 12

Fax: (781) 401-9966

jcc@dc-m.com